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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS MCCARTHY and
MARTINIQUE MAYNOR, individually and
NICHOLAS MCCARTHY as successor-in-
interest to ETHAN MCCARTHY a deceased
individual;
LAURA JÓNSSON and
STEINN JÓNSSON, individually, and
LAURA JÓNSSON as successor-in-interest
to KRISTINE JÓNSSON, a deceased
individual;

Plaintiffs,

vs.

AMAZON.COM, INC., a Delaware
corporation, and
LOUDWOLF, INC., a California
corporation,

Defendants.

NO. 3:22-cv-05718-JD

**FIRST AMENDED COMPLAINT FOR
CIVIL PENALTIES AND DEMAND
FOR A JURY TRIAL**

1. Products liability
2. Negligence
3. Negligent infliction of emotional distress

COME NOW plaintiffs Martinique Maynor and Nicholas McCarthy, individually, and
Nicholas McCarthy as successor-in-interest to Ethan McCarthy, deceased, and Laura Jónsson
and Steinn Jónsson, individually, and Laura Jónsson as successor-in-interest of Kristine Jónsson,

by and through their attorneys, C.A. Goldberg, PLLC, and for causes of action against defendants Amazon.com, Inc. and Loudwolf, Inc. state:

PRELIMINARY STATEMENT

1. This is an action against Amazon.com, Inc. (“Amazon”), which profits by selling Sodium Nitrite, a suicide chemical, it knows is used by children to die by suicide.

2. Amazon is guided by the principle that it can sell anything to anybody anywhere anytime and for any reason, even when it knows it’s selling something that likely will be used to kill a child within a week from their purchase.

3. In our country, it is illegal to aid or assist in somebody else’s suicide.

4. The rare exception exists in eleven states where physicians are allowed, under exceedingly narrow and legislated medical circumstances, to carefully facilitate the death of a proven terminally ill patient. Contrary to what Amazon and Loudwolf, Inc. (“Loudwolf”) – the brand of Sodium Nitrite involved in this case – may think, there is no exception that allows for corporate-assisted suicide.

5. This is a case about the most powerful, wealthy, and trusted corporation in America knowingly assisting in the deaths of healthy children by selling them suicide kits.

6. These kits are comprised of Sodium Nitrite—a soluble solution that when mixed with water and drunk can render a person unconscious within twenty minutes. Along with Sodium Nitrite, Amazon recommends that customers also purchase a small scale to measure the right dose, Tagamet to prevent vomiting up the liquid, and the “Amazon edition” of the *Peaceful Pill Handbook* which contains a chapter with instructions on how to administer these ingredients together to die.

7. Even after parents and regulators warned Amazon that Sodium Nitrite had no household use, Amazon continued to sell it to households, for under twenty dollars, and with two-day delivery.

1 19. Plaintiffs are the families of two teenagers, unknown to one another, who during
2 the Coronavirus pandemic separately purchased Loudwolf Sodium Nitrite from Amazon and then
3 died excruciating deaths just over three months apart.

4 20. On September 24, 2020, 16-year-old Kristine Jónsson from Hilliard, Ohio
5 purchased Loudwolf Sodium Nitrite from Amazon.com. It arrived two days later.

6 21. The police found her dead in her mother's car at 8:12 am on September 30, 2020.

7 22. On January 1, 2021, 17-year-old Ethan McCarthy from Milton, West Virginia
8 purchased Loudwolf Sodium Nitrite from Amazon.com.

9 23. On January 7, 2021, Ethan's mother discovered him dead in his bed and he was
10 pronounced dead at 10:56am.

11 24. Both Kristine and Ethan had purchased the Sodium Nitrite for \$19.99. Amazon
12 made a total of \$2.39 from each sale.

13 25. The circumstances surrounding Amazon's sales to both Kristine and Ethan were
14 highly irregular. Amazon has a policy that people under the age of 18 can only use the service
15 with the involvement of a parent or guardian. However, Kristine, at just sixteen, had created her
16 own account to purchase the poisonous chemical and was never asked her age when she set up
17 the account. The package delivered to Kristine's home was addressed without a last name. It read
18 only "Kristine."

19 26. Seventeen-year-old Ethan used the account that belonged to his mother, Nikki, to
20 purchase Sodium Nitrite. When Nikki received the email receipt for the purchase, she
21 immediately called Amazon's customer service to tell them there must have been some mistake
22 and that nobody at her home had ordered the item. Amazon told Nikki the order was cancelled.
23 Instead, the Sodium Nitrite was delivered to her home four days later.

24 27. Amazon consciously sold Kristine and Ethan Sodium Nitrite with the knowledge
25 and understanding it would be used to end their lives.

26 28. At the time of Kristine and Ethan's deaths, Amazon had received dozens of
27

1 notifications from parents and regulators about deaths caused by Sodium Nitrite, dating back to
2 at least 2018.

3 29. On March 17, 2021 the US Food and Drug Administration (FDA) notified
4 Loudwolf that Loudwolf Sodium Nitrite purchased through Amazon was mislabeled and had
5 been used in a self-inflicted death.

6 30. Upon information and belief, on March 17, 2021, Loudwolf permanently removed
7 Sodium Nitrite from its Amazon store and from its own website.

8 31. Amazon had withheld from Loudwolf and other vendors of Sodium Nitrite its
9 knowledge of the numerous suicides and regulatory complaints it had received about the various
10 brands of Sodium Nitrite.

11 32. While Loudwolf discontinued all global sales effective the day it acquired
12 knowledge of one death, Amazon continued to sell various brands of Sodium Nitrite through
13 October 2022 killing scores more children and young adults. To date, Amazon refuses to confirm
14 it no longer sells Sodium Nitrite.

15 33. In loving memory of Kristine and Ethan, their families now seek to hold Amazon
16 responsible under theories of product liability and negligence for the untimely, painful, and
17 preventable deaths it caused. It further seeks an injunction against Loudwolf and Amazon to ban
18 sales of Sodium Nitrite

19 **PARTIES**

20 At all relevant and material times:

21 34. Plaintiff Nicholas McCarthy (“Nick”) is the father of Ethan McCarthy (“Ethan”),
22 who died on January 7, 2021 at age 17, and is the successor-in-interest to Ethan’s estate.

23 35. Nick resides in Austintown, Ohio.

24 36. Nick has not entered into a User Agreement or other contractual relationship with
25 Amazon in connection with Ethan’s use of Amazon.

26 37. Upon information and belief, Ethan never entered into a User Agreement or other
27

1 contractual relationship with Amazon, but as successor-in-interest to the Estate of Ethan
2 McCarthy, Nick expressly disaffirms any and all User Agreements with Amazon into which
3 Ethan may have entered.

4 38. Plaintiff Martinique McCarthy (“Nikki”) is the mother of Ethan.

5 39. Nikki resides in Wilmington, North Carolina.

6 40. Nikki has not entered into a User Agreement or other contractual relationship with
7 Amazon in connection with Ethan’s use of Amazon.

8 41. Plaintiff Laura Jónsson (“Kristin”) is the mother of Kristine Jónsson, who died on
9 September 30, 2020 at age 16, and is the successor-in-interest to Kristine’s estate.

10 42. Kristin resides in Hilliard, Ohio.

11 43. Kristin has not entered into a User Agreement or other contractual relationship
12 with Amazon in connection with Kristine’s use of Amazon.

13 44. As successor-in-interest to the Estate of Kristine Jónsson, Kristin expressly
14 disaffirms any and all User Agreements with Amazon into which Kristin may have entered.

15 45. Plaintiff Steinn Jónsson (“Steinn”) is the father of Kristine.

16 46. Steinn resides in Hilliard Ohio.

17 47. Steinn has not entered into a User Agreement or other contractual relationship
18 with Amazon in connection with Kristine’s use of Amazon.

19 48. Defendant Loudwolf is a corporation organized under the laws of the State of
20 California with a principal place of business in Dublin, California in Alameda County.

21 49. Defendant Amazon is a corporation organized under the laws of the State of
22 Delaware with its headquarters in the State of Washington.

23 50. Defendant Amazon does business throughout the State of California.

24 **JURISDICTION**

1 51. Under 28 U.S.C. § 1332(a)(1), this Court has jurisdiction based on diversity
2 because it is a civil action in which the amount in controversy exceeds the sum of \$75,000
3 between citizens of different States.

4 52. This Court has personal jurisdiction over the parties.

5 53. This Court has personal jurisdiction over Loudwolf because Loudwolf is
6 incorporated in California and has its principal place of business in California.

7 54. This Court has personal jurisdiction over Amazon. Amazon conducts substantial
8 business in California that is so continuous and systematic as to render Amazon “at home” in the
9 State. Amazon also purposefully avails itself of the privileges of conducting business within
10 California. Moreover, these causes of action arise out of Amazon’s business activities within
11 California, namely, the sale of Sodium Nitrite through Loudwolf.

12 55. On information and belief, Amazon operates more fulfillment centers in California
13 than any other state and maintains an extensive sales distribution network within the State. It
14 conducts substantial marketing and sales activities within the State. Amazon also employs a
15 significant number of individuals within California to carry out its business activities, including
16 at eleven offices listed on Amazon’s recruiting website, Amazon.jobs.

17 56. Amazon contracted to do business with Loudwolf in California, including
18 requirements that Loudwolf indemnify Amazon from all claims from customers and to hire
19 counsel of its choosing.

20 57. Loudwolf’s inventory of Sodium Nitrite was stored and shipped from California
21 to the Plaintiffs.

22 58. The events surrounding whether Amazon withheld notification to Loudwolf of
23 Amazon’s prior notice that Sodium Nitrite was being purchased and used for suicide occurred in
24 California.

25 59. The events surrounding whether Amazon properly delivered to Loudwolf
26 notification of the cancellation of the Sodium Nitrite order from Nikki McCarthy occurred in
27

1 California, as did the ultimate shipment of the Sodium Nitrite.

2 60. Venue is proper in this under 28 U.S.C. § 1441(a).

3 **FACTS**

4 **Amazon Company Design**

5 61. Jeff Bezos founded Amazon in 1994 and remained CEO until he stepped down in
6 July 2021 to pursue a space-exploration career.

7 62. Amazon is a global online marketplace, selling its own products and those of over
8 one million other manufacturers and vendors. It is the world's most valuable retail company.

9 63. Amazon's revenues in 2020 were \$386 billion, and as of September 2022, its
10 market capitalization was \$1.16 trillion.

11 64. Over 350 million products and services are available on Amazon.

12 65. Amazon's primary business model is to sell products for other manufacturers and
13 to take a commission on those sales. Amazon calls these manufacturers "third-party sellers" or
14 "third-party vendors."

15 66. In order to use Amazon's services to list its product, a manufacturer must assent
16 to Amazon's standardized Services Business Solutions Agreement ("the Agreement"). This
17 Agreement governs Amazon's total control over the sales on its platform and the products it sells.

18 67. Amazon contractually requires that manufacturers publish certain information on
19 the product page for each product sold—a description of the product, including its brand, model,
20 dimensions, and weight; digital images of the product, as well as other information such as
21 shipping and handling options, product availability, in-stock status, and any other information
22 reasonably requested by Amazon.

23 68. The Agreement grants Amazon a royalty-free, non-exclusive, worldwide,
24 perpetual, irrevocable right and license to commercially or non-commercially exploit, in any
25 manner, the information provided by the manufacturers whose products it sells.

26 69. Amazon offers manufacturers a host of other services they can use in conjunction
27

1 with listing their product on Amazon’s website. For example, Amazon offers “Amazon Clicks,”
2 an advertising service in which Amazon highlights and promotes the vendor’s product to
3 customers.

4 70. Amazon exercises control of whether to prohibit the sale of products it deems
5 unsuitable for sale on its marketplace. At any time, Amazon has the power and control to de-list
6 a product.

7 71. Amazon reserves the right, to at any time, cease providing any or all of the
8 services it offers manufacturers at its sole discretion and without notice, including suspending,
9 prohibiting, or removing any listing. Amazon also retains other important privileges. For
10 example, Amazon can require manufacturers to stop or cancel orders of any product. If Amazon
11 determines that a manufacturer’s actions or performance may result in risks or hazards, it may in
12 its sole discretion withhold any payments to the manufacturer.

13 72. Amazon has an intricate payment arrangement with manufacturers whose
14 products it sells. First, Amazon charges a monthly subscription fee. Then Amazon charges what
15 it calls a “referral fee,” which is actually just a seller’s commission on each item sold. The
16 percentage and minimum commission Amazon collects vary based on the category of the
17 product.

18 73. Amazon takes a 12% commission for products categorized as “Business,
19 Industrial, and Scientific Supplies” with a minimum per-unit commission of \$0.30.

20 74. Amazon charges manufacturers refund administration fees, which are the lesser
21 of \$5.00 or 20% of the applicable commission.

22 75. When a product sells, Amazon collects the amount paid by the customer,
23 including both the price of the item and shipping costs, and takes its commission off the top.

24 76. Amazon has strict visual requirements for products sold on its site. Amazon’s
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26
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1 Seller Central website recommends six images and one video of all products.¹ They instruct that
 2 “[i]mages should be clear, **informative**, and attractive” [emphasis added]. Amazon says it takes
 3 a hardline when images do not comply with the policy. (“[I]f the images on your Amazon product
 4 listings are found to be non-compliant with Amazon’s image content requirements, the product
 5 listings will be removed from search until a compliant image is provided.”). The standards for
 6 the main product images are particularly strict and forbid cropping of the images except for
 7 jewelry (“MAIN images must show the entire product that is for sale. Images must not touch or
 8 be cut off by the edge of the image frame, with exception of Jewelry (e.g., necklaces.)”). Amazon
 9 also has industry-specific visual requirements for products.

10 77. Amazon also has particularly strict requirements for industrial and scientific
 11 products sold.² Amazon claims these requirements are for consumer safety. (“The selling
 12 guidelines listed here for selling in the Industrial & Scientific category reflect buyer concern for
 13 product quality, product branding, and consumer safety.”) All products classified as “Industrial
 14 and Scientific” require that sellers “conduct proper research to ensure the product listing complies
 15 with applicable local, state, federal, and international laws and regulations.” All industrial and
 16 scientific products sold on Amazon “must meet North America product safety standards.”
 17 Amazon requires there be adequate information, so purchasers fully understand the product.
 18 “Sellers must submit product titles, bullets, and product descriptions that are clearly written and
 19 **assist the customer in understanding the product**” [emphasis added].

20 78. Amazon does not enforce the visual requirements or the consumer safety
 21 requirements for the industrial and scientific product it sells. This non-enforcement is true both
 22 for the industrial and scientific products it sells for manufacturers like Loudwolf, as well as the
 23 brands where Amazon possesses the products wholesale and is itself in charge of describing and

24 ¹https://sellercentral.amazon.com/gp/help/external/G1881?language=en_US&ref=efph_G1881_cont_16881 (last
 25 visited September 27, 2022).

26 ²https://sellercentral.amazon.com/gp/help/external/G201847780?language=en_US&ref=efph_G201847780_cont_200332540 (last visited September 27, 2022).

1 photographing the product.

2 79. Amazon recognizes there is liability for selling unsafe products online and in the
3 Agreement threatens to take civil action against manufacturers who do so.

4 80. Amazon tells its manufacturers that the “[t]he sale of illegal, unsafe, or other
5 restricted products” is “strictly prohibited” and that “the sale of illegal or unsafe products can
6 lead to legal action, including civil and criminal penalties.”

7 81. Amazon claims to not allow minors to have their own consumer accounts, but
8 instead child users can be on their parents’ “household” account.

9 82. However, Amazon does not ask new account holders to state their age when
10 they’re setting up an account.³

11 83. Amazon instills the false belief in families that they sell safe products.

12 84. Amazon makes much ado about its prohibition on products it deems unsafe or
13 immoral. It specifically prohibits drug products, controlled substances, and any product
14 containing CBD.

15 85. Amazon promotes its gift cards as a safe gift to give children on their birthdays,
16 Christmas, and other special occasions.

17 86. Amazon makes billions of dollars in gift cards given to children.

18 87. By its own admission, Amazon influences the mental states that that compel
19 people to purchase specific goods. Its 2021 Amazon Consumer Behavior Report begins with:
20 “To win in this era, especially on Amazon and other e-marketplaces, brands and retailers will
21 need to take a hard look at factors that *drive* consumers to make a purchase, paying close attention
22 to personalization, convenience, value, and product assortment.”⁴

23
24 ³<https://www.amazon.com/gp/help/customer/display.html?nodeId=GLSBYFE9MGKKQXXM#:~:text=If%20you%20are%20under%2018,teenagers%20in%20their%20Amazon%20Household.> (Last updated September 14, 2022).

25 ⁴ *The 2021 Amazon Consumer Behavior Report: Based on a Survey of 2,000+ U.S. Shoppers*, Feedvisor (2021)
26 [emphasis added].

1 88. Upon information and belief, between the data analytics collected about users and
2 its state-of-the-art ways to market at them, Amazon’s own design influences and predicts how
3 people will shop and what they will buy.

4 89. During the coronavirus pandemic, the trust in Amazon—and its influence in
5 causing purchases—grew as more people stuck in their homes quarantining relied on Amazon
6 for safe home deliveries of the essentials of life. (“As consumer’s comfortability and reliance on
7 e-marketplaces accelerates amid the pandemic, Amazon has emerged as the biggest beneficiary
8 from the growing trend of online shopping.” *Id.*)

9
10 **Loudwolf Sodium Nitrite Sold on Amazon.com**

11 90. Loudwolf, Inc. is a manufacturer that sells industrial chemicals on Amazon.

12 91. Paul Fullwood (aka “Professor Fullwood”) is the founder of Loudwolf, Inc. He is
13 president and chief operating officer of Digital Animation, Inc., a founding partner of Edison
14 Research Labs, and chairman of The First Fruit Charities, Inc. He is a board member of various
15 other companies including Digital Imagination, Inc.

16 92. Upon information and belief, Loudwolf is a mom-and-pop store for hobbyists run
17 mainly by Fullwood, his wife, and two sons from their modest home. At most, it had four
18 employees.

19 93. During the height of the pandemic when hand sanitizer was scarce, Loudwolf
20 distributed glycerine to households across the company so people could make their own hand
21 sanitizer.

22 94. Since starting the business, in step with consumer trends, Loudwolf’s sales have
23 become increasingly dependent on Amazon. Upon information and belief, about 95% of
24 Loudwolf’s sales come from Amazon.

25 95. Loudwolf brand Sodium Nitrite was sold both by Amazon.com and on its own
26 website, Loudwolf.com.

1 96. Upon information and belief, Duda Diesel supplied Loudwolf with the Sodium
2 Nitrite.

3 97. Loudwolf Sodium Nitrite was sold on Amazon at 99.6% purity– a purity level for
4 which there is no non-institutional or household use.



14 98. At all relevant times, the Loudwolf Sodium Nitrite available for purchase on
15 Amazon was, like other brands of Sodium Nitrite available on Amazon, sold in violation of
16 federal regulations issued by the FDA for Sodium Nitrite. CFR 172.175(b)(3) provides Sodium
17 Nitrite must, at minimum, bear a clear label stating: “KEEP OUT OF REACH OF
18 CHILDREN.” The actual label fails to include this language, yet falsely boasts “hundreds of
19 known uses” and that it is “suitable for most experimental and analytical applications, as well
20 as many technical and household purposes.”



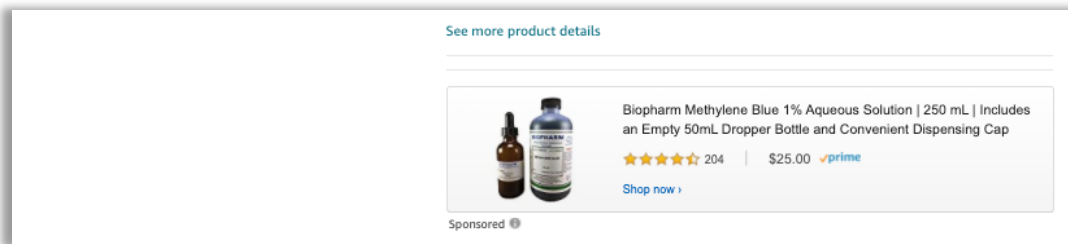
(Label depicted reads: “This is a high purity, reagent grade chemical. It is suitable for most experimental and analytical applications, as well as many technical and household purposes. This substance has hundreds of known uses. Please do your own research regarding its application to your specific purpose.”)

99. Further, the actual bottle contains nothing that even remotely warns consumers of how deadly the product is or how to reverse the effects. The only warning language contained on the label states: “HAZARD Oxidizer. Irritant.”



100. Upon information and belief, Amazon continued selling Loudwolf Sodium Nitrite despite repeated notifications that it was being used to complete suicides.

101. Neither the product label nor the Amazon product page for Loudwolf Sodium Nitrite mentioned a proven antidote to suicide attempts via Sodium Nitrite: an injection of methylene blue. Though, notably, Amazon has sold advertising space to Biopharm Methylene Blue 1% on various Sodium Nitrite product pages.



102. Even though Amazon had received dozens of notices that its various brands of Sodium Nitrite were being used for suicide, dating back to at least 2018, if not earlier, Amazon

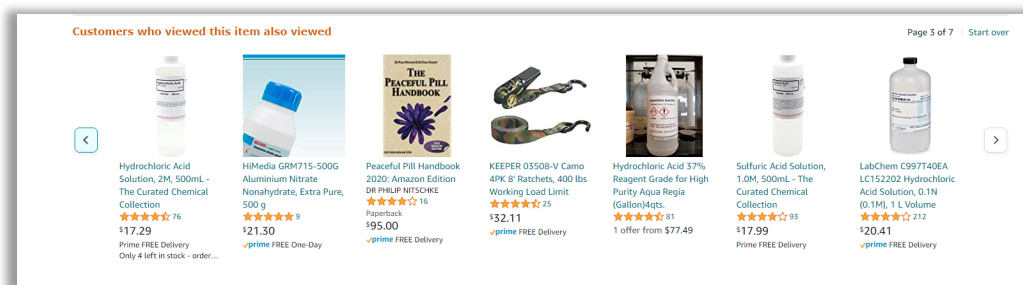
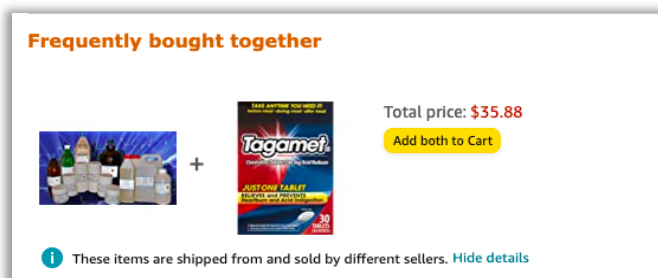
1 did not notify Loudwolf or other Sodium Nitrite vendors its product was regularly being
2 purchased by people –including children -- to kill themselves.

3 103. Upon information and belief, Duda Diesel, the supplier for Loudwolf and itself a
4 former Sodium Nitrite seller on Amazon, also withheld from Loudwolf its knowledge that
5 Sodium Nitrite was regularly used for suicide.

6 104. On March 17, 2021 Paul Fullwood received a call from a Compliance Officer at
7 the Food and Drug Administration (“FDA”) informing him his product was improperly labeled
8 and that they had received a complaint that somebody had purchased Loudwolf Sodium Nitrite
9 from Amazon and died by suicide. Fullwood confirmed in writing to the FDA that as of noon
10 that day he had cancelled all Amazons listings for Loudwolf Sodium Nitrite. He removed the
11 product both from Amazon and his own website.

12 105. Upon information and belief, Amazon also received notification from the FDA
13 about Sodium Nitrite, but continued to sell other brands.

14 106. Amazon bundles Sodium Nitrite with other offerings to create suicide kits. Along
15 with Sodium Nitrite, Amazon’s recommendation feature (*i.e.*, “Customers who viewed this item
16 also viewed” and “Frequently bought together”) offers Tagamet, an acid reduction medicine that
17 online suicide forums recommend to prevent lifesaving vomiting after ingesting a deadly dose of
18 Sodium Nitrite. Also, among Amazon’s recommendations for viewers of Sodium Nitrite are
19 small scales and the “Amazon Edition” of Dr. Philip Nitschke’s suicide instruction book, *The*
20 *Peaceful Pill Handbook*. Amazon offers a new edition of the *Peaceful Pill Handbook* each year
21 for \$95. Upon information and belief, Loudwolf Sodium Nitrite was one of the brands for which
22 Amazon recommended these other suicide aids in the “Customers who viewed this item also
23 viewed” and “Frequently bought together” suggestions to shoppers on product pages.
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107. The “Amazon Edition” of *The Peaceful Pill Handbook* devotes a chapter to “Lethal Inorganic Salts” wherein it details instructions for how to use Sodium Nitrite to die. It provides: “Sodium nitrite salt is very soluble in water. To prepare a lethal dose of the salt, 15gm is dissolved into 50- 100 ml of water. The taste is salty and unremarkable.”

108. Shockingly, the online edition of the *The Peaceful Pill eHandbook* touts how cheap and speedy Sodium Nitrite purchase and delivery is for suicidal readers who purchase it on Amazon, even providing an Amazon link. “[Sodium Nitrite] is readily available on the internet and has no safety issues for transport. Cost is minimal with chemical suppliers offering the product for as little as US\$15/kgm. <https://www.amazon.com/Sodium-Nitrite-Powder>.”

109. Upon information and belief, Amazon sold Loudwolf Sodium Nitrite starting in June 2017.

110. Amazon knew or should have known people used Loudwolf Sodium Nitrite to die by suicide.

111. Starting in or before 2019, news articles and studies by medical researchers and the National Poison Data System began reporting a spike in suicides caused by Sodium Nitrite.

112. Upon information and belief, Amazon's own data demonstrates an increased demand by individuals for Sodium Nitrite starting in or about 2019.⁵

113. In 2019 the California Poison Control System (CPCS) was consulted on five patients who intentionally ingested sodium nitrite between May and November 2019. In all cases, the patients acquired the product from online vendors.⁶

114. Upon information and belief, Amazon's own data demonstrates an increase in private individual purchases, especially by those who also viewed and/or purchased products like Tagamet acid reducer, scales, and suicide instruction books.

115. Upon information and belief, Amazon received complaints about Loudwolf Sodium Nitrite killing their loved ones.

116. The pro-suicide website, Sanctioned-Suicide.com ("Sanctioned Suicide"), explicitly refers suicidal individuals to Amazon to purchase Loudwolf Sodium Nitrite because it is "sold without regulation" on Amazon.

117. Professor Fullwood, Loudwolf and Amazon are commonly referred to on suicide

⁵ The increase in sales is the result of the popularity of sanctioned-suicide.org, a website that had incarnations on the deep web and Reddit before Reddit banned it in 2018. Two individuals created Sanctioned Suicide to form a membership community for both those people who want to die and those who encourage others to die. Among Sanctioned Suicide's many features is a "Suicide.Wiki" link which has such topics as "Methods", "Hanging", "Jumping", "SA", and "SN." The SN link provides "step-by-step instructions" for death by Sodium Nitrite, a suicide method that "effectively kills whether old people or healthy Olympic champions": "1. Take 30 mg metoclopramide (another editor suggested 800 mg of Tagamet, as well). 2. Wait 1 hour. 3. Dissolve 15-25 g Sodium Nitrite in 50 ml municipal tap water. 4) Drink the solution and relax on a bed, a couch or a reclining chair."

⁶ Matin, Adiba M. "Survival after self-poisoning with sodium nitrite: a case report" J Am Coll Emerg Physicians Open. 2022 Apr; 3(2): e12702. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8931305/#emp212702-bib-0005>

forums as easy, quick, and accessible options to purchase Sodium Nitrite.



littlelady856

losing my mind

Dec 20, 2018

471

Jun 28, 2019

#3,751

Jinx said:

Thanks @jake3d

Anyone in the U.S. that ordered from Loudwolf, how long did shipping take, do you have to sign for it, and what is packaging like on delivery? I remember someone commented saying there were labels with "hazardous materials" on the outside (not sure where they got their SN from) but anything like that could be difficult to explain.

I've ordered from Loudwolf- I live in the US.

It doesn't take long at all to get- probably a week or less.

The bottle came in a yellow envelope- didn't say anything about hazardous material on it.

Quetus, Antonin49 and Jinx



Lethe

Fey

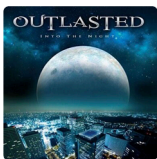
Sep 19, 2019

673

Nov 1, 2019

#4

The prof is the distributor of the Loudwolf brand SN, supposedly.



khw777

Just trying to catch a bus!

Oct 18, 2019

235

Nov 1, 2019

#5

MeltingHeart said:

That is strange! Who is this professor ?! Which country u in? Sorry it's been delayed that sucks.

I'm US

The professor is the seller from amazon.

118. Amazon is legally required to control sales of Sodium Nitrite in other countries because of its use for suicide. However, it does not provide the same care to its customers outside those countries. For instance, Sodium Nitrite is a "reportable substance" in the UK. As such, Amazon must report "any suspicious transaction (business to consumer and business to business) of Sodium Nitrite."⁷

119. Similarly, other countries, such as The Netherlands, have organized actions to try

⁷ Guidance: Supplying Explosives Precursors and Poisons, Gov.uk Guidance (June 25, 2021), <https://www.gov.uk/government/publications/supplying-explosives-precursors/supplying-explosives-precursors-and-poison>.

1 to stop sales of Sodium Nitrite to private individuals.⁸

2 120. Indeed, Amazon Netherlands is a member of Thuiswinkel.org—a signatory of
3 Dutch national legislation that was enacted in 2019 in the wake of Sodium Nitrite suicides to
4 prohibit the sales of suicide chemicals to individuals.

5 121. Despite Amazon’s knowledge that Sodium Nitrite is considered too dangerous to
6 sell in other nations, Amazon continued to sell it to individuals in the United States—its home
7 country.

8 122. Upon information and belief, Amazon engages in deception to increase its sales
9 of Sodium Nitrite. For instance, upon learning that families were leaving one-star reviews for
10 Sodium Nitrite relating to the deadliness of the product and its use for suicide, instead of
11 removing the product, Amazon removed comments containing the word “suicide.”

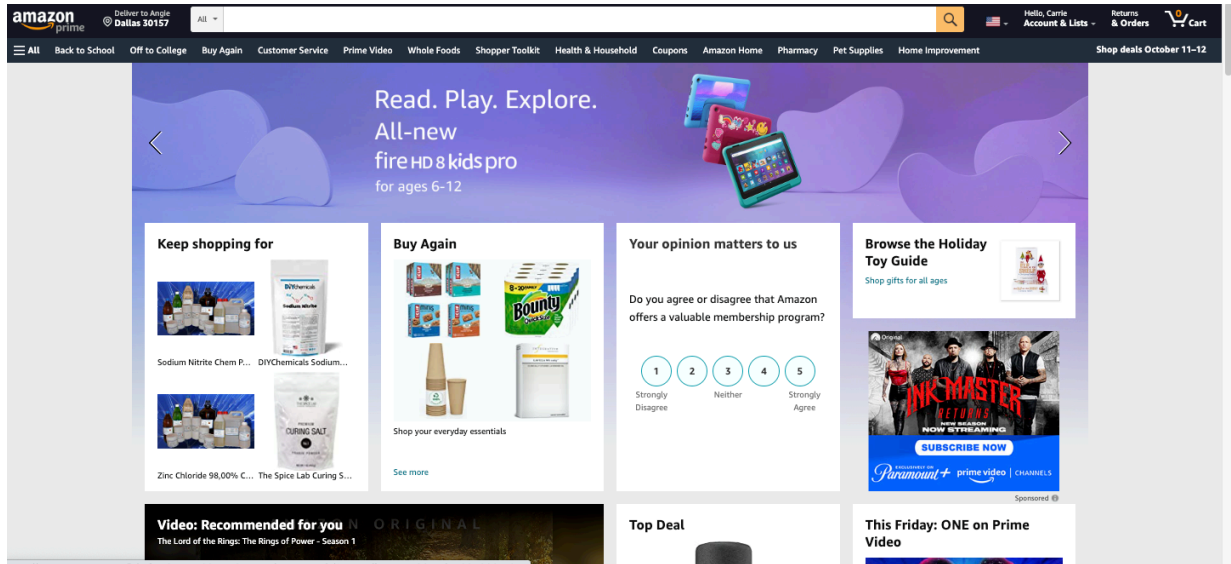
12 123. Amazon’s deletion of one-star reviews caused Loudwolf Sodium Nitrite to have
13 artificially high customer ratings.

14 124. Amazon has also taken punitive measures against grieving family members by
15 banning these individuals from leaving comments on any Amazon products at all after they left
16 one-star reviews about Sodium Nitrite.

17 125. Upon information and belief, Amazon used advertising tactics to convince people
18 to purchase Loudwolf Sodium Nitrite, such as tracking users who viewed Sodium Nitrite with
19 cookies and then advertising Loudwolf Sodium Nitrite to them on other sites they visited with
20 direct links to the product on Amazon.

21 126. For customers who have looked repeatedly at Sodium Nitrite, Amazon places
22 Sodium Nitrite on their Amazon landing page and suggests customers “[k]eep shopping for”
23 Sodium Nitrite.”

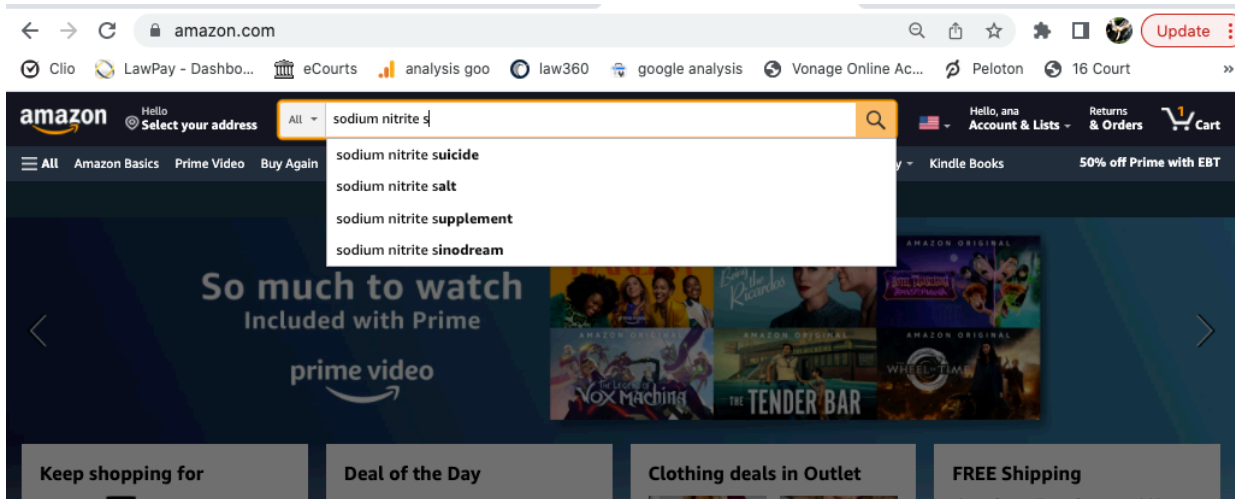
24
25 ⁸ *Suppliers of Suicidal Drug: No Sale to Private Individuals*, Algemeen Dagblad,
26 https://www.ad.nl/politiek/leveranciers-zelfmoordmiddel-geen-verkoop-aan-particulier~a70b9e15/?referrer=https%3A%2F%2Fsuicide.wiki%2Fw%2FSodium_Nitrite.



127. Upon information and belief, Amazon routinely sent top-of-mind emails advertising Sodium Nitrite to consumers who looked at Loudwolf Sodium Nitrite but did not purchase it, and to consumers who placed it in their online shopping cart but had not completed the transaction.

128. Upon information and belief, after people bought Loudwolf Sodium Nitrite, Amazon would routinely nudge them about their purchase, asking them to rate the product and even inquiring if they would like to order more.

129. Upon information and belief, Amazon engaged in various other methods to normalize the use of Loudwolf Sodium Nitrite for suicide to condition its consumers to think that shopping for suicide products on Amazon was safe, normal and a frequent well-plodded road. In addition to recommending users buy the exact bundle of items recommended by Sanctioned Suicide's website to be used in conjunction with Sodium Nitrite and using the aforementioned methods to nudge and pressure individuals to purchase, at all relevant times, Amazon auto-filled its search results. Users who typed in "sodium nitrite" saw "sodium nitrite suicide" as the fifth suggested prompt to complete their search. A user who began to type in "sodium nitrite salt" would instead see "sodium nitrite suicide" before they could type the second letter of "salt."



Suicide by Sodium Nitrite

130. Sodium Nitrite is a water soluble, white to slightly yellowish crystalline powder.

131. Sodium Nitrite has no household application. Its uses are mainly as a corrosion inhibitor in antifreeze, an antidote to cyanide poisoning, and as a microbial. In Australia it was also introduced as a method to control the growth of feral pig populations.

132. When Sodium Nitrite is used for suicide, it is mixed in a glass with water and consumed orally. One gulp is enough. Methemoglobinemia impairs oxygen transport in blood, which causes hypoxia.

133. Death from Sodium Nitrite induced Methemoglobinemia causes excruciating discomfort prior to death. It operates as a chemical asphyxiant depriving oxygen to the brain and heart. Individuals often experience volatile vomiting, seizures, diarrhea, and intense stomach pain.

134. The appearance of individuals who died or are dying of Sodium Nitrite toxicity is itself traumatizing. The lips and nails are blackened, and the skin is mottled and splotchy, and turns bluish gray. The limbs become rigid. The blood, which turns thick and brown and with the viscosity of chocolate syrup, oozes from the mouth and nose.

1 135. At a very diluted level, Sodium Nitrite can be found in food preservatives. For
2 instance, curing salts used for making jerky contain about 6% Sodium Nitrite. Even at this much
3 lower concentration, curing salts are always dyed pink as a caution to avoid mistaking it for
4 regular salt because over-consumption even of curing salts is so dangerous. In contrast, the
5 Loudwolf Sodium Nitrite, sold by Amazon, contained 99.6% pure Sodium Nitrite.

6 136. Sodium Nitrite at a purity level greater than 95% is a reagent chemical, meaning
7 its uses are strictly monitored in food factories and medical manufacturing, as well as in high-
8 purity laboratory and analytical applications. A trace amount could make a person extremely ill.

9 137. Sodium Nitrite at a purity level of 99.6% purity, as stated on Loudwolf's label,
10 actually exceeds the American Chemistry Society ("ACS") standard of 97% purity. This is the
11 highest purity chemical grade that exists in American science and research.

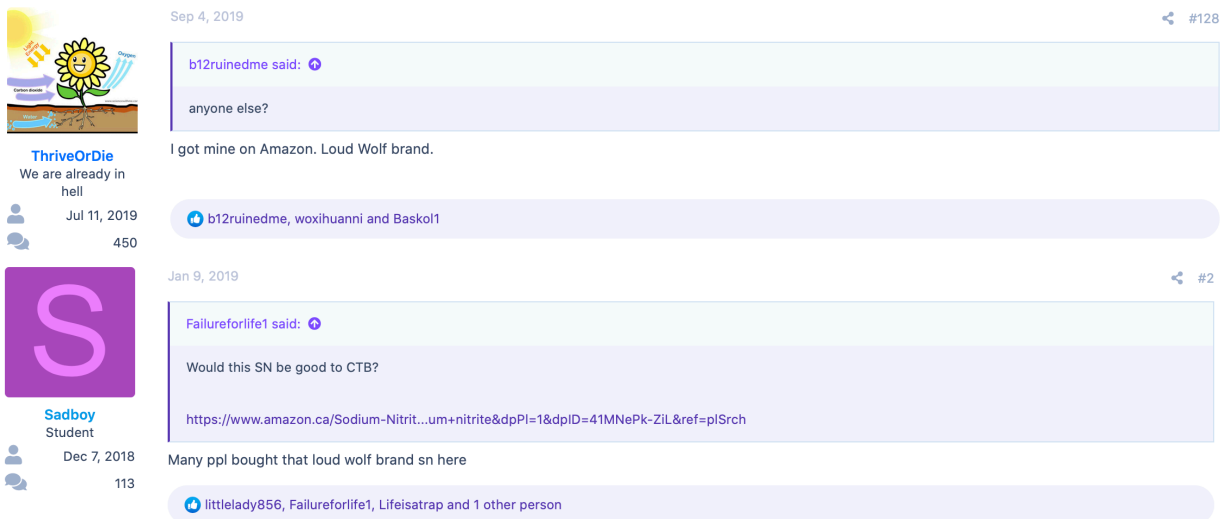
12 138. The FDA Administration has a special category of regulation for Sodium Nitrite
13 (21 CFR 172.175). All retail packing requires labeling with "adequate instructions for use to
14 provide a final food product" and which complies with strict federal limits on the amount of the
15 dangerous compound used. Federal law requires labels provide safety warnings for kids. "[T]he
16 label of the additive, or of a mixture containing the additive, shall bear the statement 'Keep out
17 of the reach of children.'"

18 139. Sodium Nitrite has recently become a highly recommended suicide method on the
19 pro-suicide website Sanctioned Suicide.

20 140. Sanctioned Suicide specifically recommends Sodium Nitrite as an effective
21 method of completing a suicide that is cheap and easy and most importantly, difficult for family
22 members and professionals to stop.

23 141. Sanctioned Suicide and its "suicide.wiki" have long recommended that members
24 purchase Sodium Nitrite specifically from Amazon.com.

25 142. Sanctioned Suicide users abbreviate Sodium Nitrite, to "SN." In posts about
26 where to find the chemical, many users suggest Amazon and Loudwolf.



143. The site further provides threads of instructions specifying dosages and methods of dissolving the substance in water prior to consumption. It recommends supplementing the Sodium Nitrite with antacid medication like Tagamet to ensure the poison can be digested without vomiting.

Amazon knew since at least 2018 about it was selling Sodium Nitrite to kids for suicide

144. On March 19, 2018 Dominick DiFede left a one-star review on Amazon's HiMedia Sodium Nitrite (a company with which Amazon had a first party relationship) product page with headline "My 16 year old son bought this product to comit suicide and succeeded. Thanks amazon." The review read "I am writing you on my dead child's amazon account. He found a reddit threat teaching him how to use sodium nitrites to kill himself. So he dumped about 100g into his gatoraide bottle. Texted me from his mom's house to tell me he was going to sleep and he loved me and i told him i loved him. He then drank the poison and died. Nice amazon delivering death to children."

145. Shortly after sending DiFede an email receipt confirming the publication of the review, Amazon stated that the review violated its community guidelines, had been removed, and the account "will no longer be able to contribute reviews and other content on Amazon."

1 146. DiFede's son had purchased Sodium Nitrite from his own account using a gift
2 card.

3 147. Upon information and belief, this anecdote above is just one of dozens of incidents
4 of parents reporting to Amazon the suicide of a child from Sodium Nitrite.

5 148. Starting no later than 2017 Amazon began selling the Peaceful Pill Handbook with
6 its chapter on using Sodium Nitrite

7 149. Starting in 2019, Netherlands, a country where Amazon does business, regulated
8 that direct-to-consumer sales of Sodium Nitrite are regulated.

9 150. The National Association of Chemical Distributors, reports that none of its 400
10 members and affiliates distribute Sodium Nitrite direct to consumer.

11
12 **The Availability of Sodium Nitrite on Amazon increase suicides**

13 151. The Centers for Disease Control and Prevention say that since 2009, suicide has
14 increased by 45% among 15–24-year-olds and over 30% among 25-34-year-olds.

15 152. Experts say that for most people, suicidal thoughts will eventually pass.
16 Treatment, support from loved ones, and detailed plans to keep safe can help.

17 153. Clinicians and researchers have found that people are much more likely to attempt
18 suicide if they learn about methods, become convinced it is the right thing to do, and have the
19 means.

20 154. Amazon and Loudwolf provide the method and means for suicide. With
21 Amazon's fast delivery, individuals can obtain Sodium Nitrite (and the products it recommends
22 – Tagamet, the handbook, and a scale) within a few days of learning about it and within a period
23 of time short enough for the bout of suicidal ideation originating at the point of purchase to
24 persist.
25
26

1 155. Upon information and belief, Amazon is the number one vendor of Sodium Nitrite
2 used for suicides.

3 156. Upon information and belief, at the times of Kristine's and Ethan's deaths,
4 Loudwolf was the number one brand of Sodium Nitrite sold by Amazon.

5
6 **Amazon Sells Loudwolf Sodium Nitrite to 16-year-old Kristine Jónsson which Kills**

7 **Her**

8 157. In September 2020, Kristine, age 16, lived with her parents, her little brother,
9 Daniel, and her litter sister, Katherine in Hilliard, Ohio.

10 158. Kristine was an extremely intelligent and focused girl. She was committed to her
11 academics, taking online courses at the Community College while still a junior in high school.
12 She also took great interest in developing her art skills. She was a pretty normal kid – she enjoyed
13 scrolling through Tumblr, weighing in on the group chat with her friends, clocking her 10,000
14 steps a day, and suffered through board games with her family. She was very close with her best
15 friend, Emma, and her cousin, Becca. Before the Coronavirus pandemic forced everybody into
16 quarantine in March 2020, Kristine and Emma had attended the Renaissance Faire and they
17 hoped to someday go to the Pride Parade with Becca.

18 159. Kristine was very close with her brother, Daniel, then 13, and her sister, Katherine,
19 then 10.

20 160. The pandemic was extremely difficult for Kristine. It began at a time in her life
21 when she was just beginning to come into her own. By September 2020, she felt the quarantine
22 restrictions would never lift. In her diary, she expressed feeling listless and meaningless. She
23 expressed feeling no joy; even the things that had once given her pleasure like group-chatting
24 with her friends no longer were enough.

25 161. On September 9, 2020, Kristine began imagining how people in her life would
26 react if they found out she was hospitalized after a suicide attempt. "It's such a morbid thought
27

1 but I keep coming back to it,” she wrote. That night she registered for an account on Sanctioned-
2 Suicide.org.

3 162. Between September 15 and September 29, 2020, Kristine became resolute about
4 dying. Meanwhile, she put on a brave face to her family; they had no idea.

5 163. She created lists of pros and cons wrote letters to all her friends, and in her diary,
6 she carefully considered and ruled out other methods.

7 164. She considered getting a gun but noted that she would have to be over 18 and that
8 the wait was too long.

9 165. She considered getting an illegal gun but feared her mom would notice the
10 delivery.

11 166. She considered cutting herself but decided she didn’t have the desire to experience
12 that type of pain and mess.

13 167. She considered an overdose on illegal drugs but didn’t know enough about what
14 drugs to use or where to get them. Her own medicine cabinet only had Tylenol and melatonin.

15 168. She considered ordering Nembutal from another country, but it cost \$600 and she
16 was worried she would need a PO Box so her parents wouldn’t be suspicious of a strange
17 delivery.

18 169. She considered hanging herself but felt that would be too painful and hard, plus
19 she didn’t want to do it where her family would be the first to find her.

20 170. Then she learned about Sodium Nitrite, which she could get in less than 48 hours
21 from Amazon.com.

22 171. In her journal, Kristine jotted down the four steps to death by Sodium Nitrite: 1)
23 Tagamet, 2) wait 1 hour, 3) dissolve 15-25g in 50ml water, 4) drink.

24 172. She calculated that for her body size, she would need 20 grams of Sodium Nitrite
25 and 200 mg of Tagamet so she would not throw up.

1 173. On September 24, 2020, Kristine went on Amazon.com, created an Amazon
2 account, and purchased Loudwolf Sodium Nitrite. With shipping, the total cost was \$28.67.

3 174. The package arrived to the Jónsson's home two days later, on September 26, 2020,
4 her mother's birthday. The package was addressed to "Kristine" and contained no last name.

5 175. Besides Kristine, nobody else in the house knew the package had arrived. No
6 signature was required. Upon information and belief, Kristine was able to retrieve it undetected
7 because Amazon notified her of the delivery.

8 176. On the night of September 29, 2020, Kristine had spent time watching the
9 presidential debate with her family. Once it got late, she and her siblings went up to bed.

10 177. Before going to her room, Kristine spent some time in her sister Katherine's room
11 reading from a Harry Potter book.

12 178. When Kristine and the family went to bed everything seemed in usual order.

13 179. At roughly 1:30am, Kristine snuck out of the house with a backpack that
14 contained the Loudwolf Sodium Nitrite and a sleeping bag. She stole her mom's car and drove it
15 to the CVS pharmacy where she bought the Tagamet.

16 180. The next morning, Kristine's mom, Kristin, went about her usual morning routine.
17 Kristin noticed the front door was unlocked so she went to lock it and noticed her car was missing.
18 She immediately assumed her car had been stolen.

19 181. When she went upstairs to check on her family, she noticed Kristine was not in
20 her bedroom. Kristin called her niece and texted some friends, but nobody knew where Kristine
21 was.

22 182. At this point, Kristin fell into a state of sheer panic and called 911. The police
23 came and checked the footage from the family's Ring security camera and saw Kristine leaving
24 in the car in the middle of the night.

1 183. Kristin went into Kristine’s room to look for clues about where her daughter might
2 have gone. She noticed a pile of letters that caused her to scream in fear – they looked like suicide
3 notes.

4 184. Steinn, Kristine’s father, realized he could access Kristine’s location on the
5 mobile application “Find my,” and tracked her location to a park about 6 miles away from the
6 house in Dublin, Ohio.

7 185. The police then tracked Kristine’s vehicle to that park and found the car with
8 Kristine deceased inside. The bottle and packaging from the Sodium Nitrite were with her.

9 186. Per the Coroner’s Report, the cause of death was “Sodium Nitrite Toxicity.” The
10 manner of death was “Suicide.” Kristine’s suffered excruciating pain in her final moments.

11 **Amazon sells Loudwolf Sodium Nitrite to 17-year-old Ethan McCarthy which Kills**

12 **Him**

13 187. In January 2021, Nikki Maynard lived in Milton, West Virginia with her three
14 kids, Caleb, Ethan, and Emily. She was a Registered Nurse Care Coordinator at the Children
15 with Special Needs Program for the state of West Virginia. Life had been hectic because of
16 Covid, but the family had a good Christmas and enjoyed the holidays together as a family with
17 the kids’ father, Nick McCarthy.

18 188. Ethan, 17, was Nikki and Nick’s middle child. He was the problem solver in the
19 family, mediating arguments between his siblings. Very sociable, he’d always been emotionally
20 stable. Even through his parent’s divorce, he was never diagnosed with behavioral or
21 psychological conditions and never showed signs of depression or suicidality.

22 189. When it came to school, Ethan was the type of kid who barely studied and always
23 managed to get A’s and B’s. Living in the country, he and his brother played outdoors a lot, loved
24 target practice, and were always on adventures. He was also a very talented gamer and was
25 always adding new modifications to his gaming console. Ethan loved animals, especially his dog,
26

Jasper. He was a very active boy who loved rock-climbing and weightlifting. He was a natural caretaker, constantly helping Nikki around the house and babysitting his little cousin, River, who was 4 years old when Ethan died.

190. On January 2, 2021, Nikki noticed an email receipt from Amazon for \$28.54 from the day before for an unfamiliar product she had not purchased, which was scheduled to be delivered between January 13 and January 15. She asked her kids if they had ordered the product, Sodium Nitrite, from her account. They said they had no idea what it was and that no, they had not ordered it. Caleb joked that maybe it was for a bomb.

From: "Amazon.com" <auto-confirm@amazon.com>
 Date: January 1, 2021 at 2:45:34 AM EST
 To: [REDACTED]
 Subject: Your [Amazon.com](https://www.amazon.com) order #112-8916824-8929802
 Reply-To: no-reply@amazon.com



Order Confirmation

Hello Martinique,

Thank you for shopping with us. We'll send a confirmation when your item ships.

Details

Order [#112-8916824-8929802](#)

Arriving:
 January 13 -
 Friday, January 15

Ship to:
 Martinique
 MILTON, WV

[View or manage order](#)

Order Total: **\$28.54**

We hope to see you again soon.

[Amazon.com](https://www.amazon.com)

[Buy it again](#)



Brawny Tear-A-Square Paper
 Towels...



Body Fortress Super Advanced
 Whey...

\$33.88 prime

The payment for your invoice is processed by Amazon Payments, Inc. P.O. Box 81226 Seattle, Washington 98108-1226. If you need more information, please contact (866) 216-1075

By placing your order, you agree to Amazon.com's [Privacy Notice](#) and [Conditions of Use](#). Unless otherwise noted, items sold by [Amazon.com](https://www.amazon.com) are subject to sales tax in select states in accordance with the applicable laws of that state. If your order contains one or more items from a seller other than [Amazon.com](https://www.amazon.com), it may be subject to state and local sales tax, depending upon the seller's business policies and the location of their operations. Learn more about [tax and seller information](#).

This email was sent from a notification-only address that cannot accept incoming email. Please do not reply to this message.

1 191. Diligently, Nikki contacted Amazon right away on January 2 to cancel the order.
2 She called the number on the Amazon electronic receipt, 1(888)280-4331, and then got a call
3 back from Amazon. They told her they were cancelling the order and were informing the
4 manufacturer.

5 192. Believing her account had been hacked, Nikki followed the instructions in the
6 email from Amazon and enabled 2-factor authentication.

7 193. It was Nikki's understanding the shipment was cancelled and she gave it no
8 further thought.

9 194. Unbeknownst to Nikki, the product had shipped on January 1, 2021, just hours
10 after the purchase.

11 195. On January 5 or 6, 2021 Nikki saw some packages from Amazon had arrived and
12 brought them inside. She'd recently made several purchases from Amazon that she was
13 expecting – a computer microphone for Ethan, cat litter, a jewelry sizing tool, a dress, a floral
14 headband, and some hair dye. She placed the packages on the counter unopened and went about
15 her business.

16 196. In the morning of January 7, 2021, Nikki woke up and went down to the kitchen
17 to make breakfast for her family as usual. Ethan didn't get up as he usually would, so Nikki went
18 to wake Ethan up.

19 197. Nikki knocked on Ethan's bedroom door and received no response.

20 198. When she opened the door, she saw Ethan's still body lying in bed, his legs
21 crossed at the ankles and one arm was raised straight in the air. She ran over to him and put her
22 head on his chest. She touched his face. Nikki saw that Ethan's skin was mottled and felt cold.
23 She saw thick reddish-brown liquid coming out of his mouth.

24 199. Nikki screamed for her son Caleb to come. Caleb ran into the room and the two
25 handled Ethan's body. Nikki called 911 and EMS and the police arrived about fifteen minutes
26 later.

1 200. When emergency responders arrived, Nikki noticed that on Ethan's desk was a
2 bottle labeled Sodium Nitrite and next to it was a glass with white dried powder and a spoon.
3 Nikki realized it was the same item for which she had received the Amazon receipt, the purchase
4 that Amazon assured her was canceled.

5 201. The police pronounced Ethan dead at 10:56am on January 7, 2021. Ethan's cause
6 of death was ruled a suicide, by ingestion of Sodium Nitrite. Per the Death Certificate, Ethan's
7 cause of death was "Sodium Nitrite Intoxication." Ethan suffered excruciating pain in his final
8 moments.

9 202. On Ethan's computer was a deleted folder named "my hopes and dreams."

10 203. Nikki blacked out, and the next thing she remembers was being at her mom's
11 home getting helped into the shower. Nikki and her kids were too traumatized to ever stay
12 another night in the home where Ethan had died. They stayed with Nikki's mom until she sold
13 the house, and they moved out of state.

14 204. Over the next several weeks after Ethan died, Nikki experienced such
15 overwhelming grief that a doctor prescribed Xanax to her on which she became dependent for a
16 month. When she weaned herself from the Xanax, the pain hit her all over again. She was unable
17 to work regularly for five months.

18 **Amazon and Loudwolf caused Plaintiffs' harms**

19 205. Amazon and Loudwolf are liable for promoting and aiding the suicides of Kristine
20 and Ethan.

21 206. Amazon's bundling of Sodium Nitrite with acid-reducers, personal use scales, and
22 an "Amazon edition" suicide manual that instructed people how to use Sodium Nitrite and
23 referred them (with a link) to purchase it for cheap and with easy and fast delivery from Amazon
24 are evidence of Amazon's knowledge and are just two of the many ways Amazon caused these
25 deaths.
26

1 207. California public policy is clear and demonstrates that there is liability—even
2 felony criminal liability via California Penal Code 401 PC—for causing or aiding another person
3 to attempt suicide.

4 208. The only exception to California’s prohibition on assisting in another person’s
5 suicide is the California “End of Life Option Act” which allows terminally ill adults to receive a
6 drug to hasten their death under very controlled medical circumstances.

7 209. Likewise, aiding in another person’s death is illegal in Washington State, where
8 Amazon was founded, and in Ohio where Kristine died. (See Washington State RCW 9A.36.060,
9 Ohio Revised Code Section 3795.04). In West Virginia, where Ethan died, there is no specific
10 criminal statute, but instead a common law tradition allowing prosecution for aiding a suicide.

11 210. There is no exception in criminal law that allows for the corporate-assisted suicide
12 Loudwolf and Amazon have caused. Nor do the tightly construed exceptions for physician-
13 assisted suicides in California and Washington contain provisions for corporate-assisted suicide.

14 211. Amazon and Loudwolf knew or should have known that they were facilitating and
15 profiting from vulnerable people dying by suicide.

16 212. Had Amazon applied the standard of care it must use for its sales of Sodium Nitrite
17 in the UK, it would have determined that Kristine and Ethan, neither of which had user histories
18 of purchasing meat preservatives, made suspicious, reportable purchases of Sodium Nitrite.

19 213. Instead, Amazon sold the Loudwolf Sodium Nitrite for \$19.99, which was
20 delivered within 3-4 days of both Kristine’s and Ethan’s purchases.

21 214. Amazon and Loudwolf were on notice that it was selling a dangerous product
22 when it sold Loudwolf Sodium Nitrite to Kristine and Ethan.

23 215. Amazon defends its right to sell Sodium Nitrite (and other products known to be
24 used for suicide) because it says some states immunize defendants that cause a personal injury
25 where that injury occurred during an attempted or completed suicide.

1 216. Amazon falsely states that “[w]e are constantly innovating on behalf of our
2 customers and working with regulators, third party experts, vendors, and sellers to improve the
3 ways we detect and prevent illegal and unsafe products from reaching our marketplace. Amazon
4 encourages you to report listings that violate Amazon’s policies or applicable law by contacting
5 us. We will investigate each report thoroughly and take appropriate action.”⁹

6 217. Amazon has refused to work with United States regulatory or legislative
7 authorities on the issue of Sodium Nitrite—it even ignored a letter from the top rulemaking
8 authority in our country—Congress.

9 218. On January 25, 2022, the United States Congress sent a letter to President and
10 Chief Executive Officer of Amazon, Andy Jassy, expressing its deep concern that Amazon is
11 providing “minors and adults with easy access to sodium nitrite, a deadly chemical.” Congress
12 expressed the belief that Amazon’s frictionless sale of Sodium Nitrite, combined with its speedy
13 delivery of the product, caused deaths. (“When a person is having suicidal thoughts, limiting fast
14 access to methods by which to die can make the difference between life and death, making the
15 fact that sodium nitrite can be sold and delivered overnight with Amazon Prime, a grave
16 concern.”).

17 219. Congress requested specific information on 15 different points, including the
18 number of units of Sodium Nitrite it sold, Amazon’s manipulation of user reviews, Amazon’s
19 labeling of Sodium Nitrite, and Amazon’s tracking methods to encourage sales of Sodium Nitrite.

20 220. Congress sought a response from Jassy by February 1, 2022. To date, neither
21 Jasse nor Amazon have provided a substantive response to the Congressional inquiry.

22 221. Amazon had options available to mitigate the risk of selling dangerous and deadly
23 Sodium Nitrite on its Marketplace, but it chose not to exercise those options.

24
25
26 ⁹ <https://sellercentral.amazon.com/gp/help/external/200164330> (last visited September 27, 2022).

1 222. Amazon was particularly well-positioned to assess health risks to consumers,
2 manage labeling, and take care to be responsible with warnings because, among its other online
3 retail functions, Amazon is a pharmacy that sells actual prescription drugs.

4 223. Amazon operates beneath the standard of care for online retailers when it comes
5 to selling Sodium Nitrite products. While Amazon has made an affirmative decision to continue
6 selling Sodium Nitrite, other online retailers banned the chemical years ago. Both Etsy and eBay
7 stopped selling Sodium Nitrite when they learned it was frequently being used for suicide.

8 224. In 2019, eBay made the voluntary decision to globally prohibit the sale of Sodium
9 Nitrite after learning it could be used for suicide. In a letter to a coroner in the UK who notified
10 eBay of a tragic case of death by Sodium Nitrite, eBay said that in addition to adding Sodium
11 Nitrite to its prohibited items policy in 2019, it had “update[d] its filters, which are used to detect
12 and prevent the listing for sale of this chemical.” Upon learning that there had been an undetected
13 sale of one unit of Sodium Nitrite in 2020 by an individual who listed it, eBay said it again
14 updated its filters and dispatched its security team to do a sweep for any similar listings.

15 225. EBay took so seriously a single third party listing of one unit of Sodium Nitrite
16 that it issued this public letter showing just how conscientious it is about prohibiting Sodium
17 Nitrite sales on its platform. The letter also explained that EBay relies on a notice and takedown
18 regime where members of the public can flag Sodium Nitrite listings or users offering it for sale,
19 and it has a system for receiving notifications from regulators if one of their 1.6 billion active
20 listings is selling it.

21 226. In contrast, upon receiving notice that the Sodium Nitrite it was selling and
22 delivering was killing kids, Amazon made the informed decision, on the counsel and advice of
23 their lawyers, to continue to sell a substance they know is sold over and over again for suicide.

24 227. Amazon also failed to take one of any number of simple ameliorative actions,
25 such as: cease selling Sodium Nitrite; include adequate warnings; display accurate warning labels
26 on the website and the bottle; describe Sodium Nitrite’s intended use (which can only be
27

1 institutional at this purity level); retain bad reviews and one-star reviews for the product; ensure
2 compliance with its own terms for product photography; indicate antidotes on the bottle and on
3 the website; limit qualified purchasers; refuse to provide quick, no-questions-asked delivery of
4 deadly chemicals; require age verification for all Amazon users; enforce their ban on not selling
5 unsafe products; comply with the standards set forth for unsafe products sold by third party
6 sellers; establish a complete ban on selling Sodium Nitrite to minors; use clear language on the
7 outside of packaging material to identify contents; apply the same standard of care as other
8 platforms that have removed the product; apply the same standard of care to US customers as
9 that required in the UK and the Netherlands; include suicide prevention brochures with the
10 packaging; stop guiding consumers to other suicide products when browsing for Sodium Nitrate
11 (*e.g.*, scales, instruction books, and antacids such as Tagamet); limit the ability to purchase any
12 laboratory or medical grade chemicals; integrate an effective business verification mechanism to
13 ensure vulnerable individuals are not purchasing poisonous chemicals; require dangerous
14 products be clearly marked on the outside of the packaging to potentially alert household
15 members; implement and staff a community standards and safety department that must launch
16 investigations into reports of dangerous and deadly products; escalate reports of death and suicide
17 caused by products purchased from Amazon; and flag situations where Sodium Nitrite is
18 purchased under unusual circumstances – such as when the item is immediately archived in a
19 person’s order history after purchase, when a person reports a purchase as a fraud, when a person
20 purchases Sodium Nitrite in their first name only, when a person creates a new account to
21 purchase Sodium Nitrite, when a person purchases Sodium Nitrite with no prior history of
22 purchasing chemical products before, when a person purchases Sodium Nitrite obviously not
23 during business hours and on holidays known for their increases in suicide, and when there is a
24 global pandemic.

25 228. Plaintiff Kristin Jónsson suffers deep anguish in the form of physical,
26 psychological, and emotional trauma caused by experiencing Kristine’s death. After Kristine’s
27

1 death, she experienced overwhelming anxiety and depression, PTSD and/or prolonged grief. She
 2 experienced extreme weight loss, sleep disorders. She was put on medication for sleep and
 3 depression/anxiety. She has suicidal thoughts intruding into her daily life, was in daily therapy
 4 for three months. She wakes up in the middle of the night feeling terror about the safety of her
 5 other kids, who also have experienced depression after the loss of their sister, and she is
 6 constantly scared for their safety.

7 229. Plaintiff Steinn Jónsson has been crippled from the suffering and pain caused by
 8 experiencing Kristine' death. He lost all enjoyment of life, had to stop working for seven weeks
 9 and was put on antidepressants for the first time in his life.

10 230. Plaintiff Nikki Maynor suffers deep anguish in the form of physical,
 11 psychological, and emotional trauma caused by experiencing Ethan's death. She was forced to
 12 relocate homes because of the trauma of seeing Ethan dead. For five months she could barely
 13 work, she was put on medication, and then experienced the pain of weening herself off of it and
 14 reexperiencing the trauma.

15 231. Plaintiff Nick McCarthy has been crippled from the suffering and pain caused by
 16 experiencing Ethan's death. He had a breakdown when he learned of his son's death, drove to
 17 the funeral home and insisted on hugging Ethan's body on the gurney. He tried to numb the pain,
 18 but had a nervous breakdown the next day, was hospitalized, and medicated. He suffers ongoing
 19 trauma from the shock and from seeing his son, and still requires ongoing medication to stay
 20 functional at his job.

21 CAUSES OF ACTION

22 Count I: Products Liability

23 **By all Plaintiffs Against Amazon and Loudwolf**

24 232. Paragraphs 1-202 are realleged as if fully set forth herein.

25 233. Amazon is a product seller of Loudwolf Sodium Nitrite.

26 234. Loudwolf is a product seller and a manufacturer of Loudwolf Sodium Nitrite.

235. Loudwolf Sodium Nitrite is a product.

236. Loudwolf Sodium Nitrite is defective due to the lack sufficient instructions and warnings of potential safety hazards.

237. Loudwolf Sodium Nitrite is unreasonably dangerous.

238. Defendants jointly carry the liability of selling this defective product.

239. Plaintiffs used the product in a way that was reasonably foreseeable.

240. The product was in defective condition when it left Defendants' possession.

241. Amazon and Loudwolf, as product sellers, are liable the following non-exclusive respects:

a. Amazon and Loudwolf negligently failed to cease selling Sodium Nitrite.

b. Amazon and Loudwolf negligently failed to limit sales to qualified purchasers.

c. Amazon negligently promoted other suicide-related products along with Sodium Nitrite.

d. Amazon and Loudwolf negligently failed to limit consumers' ability to purchase laboratory or medical grade chemicals.

e. Amazon and Loudwolf negligently failed to provide adequate warnings, either on its website or along with the product when it shipped to consumers, concerning the painful death Sodium Nitrite causes.

f. Amazon and Loudwolf negligently failed to provide information on how to counteract Sodium Nitrite's poisonous affects.

g. Amazon and Loudwolf negligently failed to integrate an effective business verification mechanism to ensure vulnerable, household-based individuals are not purchasing poisonous chemicals.

h. Amazon and negligently failed to comply with its own terms and conditions for product labeling.

- i. Loudwolf negligently failed to describe Sodium Nitrite's intended uses.

j. Amazon intentionally removed and concealed negative product reviews that warned consumers of the products use for death by suicide.

k. Amazon and Loudwolf negligently sold Loudwolf Sodium Nitrite to two children.

242. Amazon and Loudwolf are liable in one or more of the following non-exclusive respects: Loudwolf Sodium Nitrite was and is unsafe to an extent beyond that which would be contemplated by the ordinary consumer.

243. Amazon's and Loudwolf's tortious conduct directly and proximately caused both Ethan's and Kristine's deaths, excruciating pain prior to death, and all resulting damages set forth herein and below in Paragraphs 223-232.

Count II: Negligence

By all Plaintiffs against Amazon and Loudwolf.

244. Paragraphs 1-214 are realleged as if fully set forth herein.

245. Amazon and Loudwolf owed plaintiffs the following non-exclusive duties:

a. To exercise reasonable care;

b. To not assist or aid in a suicide attempt; and

c. To not supply a substance for the use of another whom it knew or had reason to know to be likely to use it in a manner involving unreasonable risk of physical harm to himself.

246. Amazon and Loudwolf breached the above duties.

247. Defendants' tortious conduct directly and proximately caused both Kristine and Ethan's deaths, excruciating pain prior to death, and all resulting damages set forth herein and below in Paragraphs 223-232.

Count III: Negligent Infliction of Emotional Distress

By Plaintiff Martinique Maynor against Amazon and Loudwolf.

248. Paragraphs 1-218 are realleged as if fully set forth herein.

249. Amazon and Loudwolf owed plaintiffs a duty to exercise reasonable care to avoid causing their severe emotional distress. Defendants' duties included, but were not limited to, those liability duties set forth above.

250. Amazon and Loudwolf breached their duties.

251. Defendants' tortious conduct both directly and proximately caused Nikki's damages as set forth herein and below.

DAMAGES

252. As a direct and proximate result of Defendants' tortious conduct, Ethan's and Kristine's Estates sustained damages, including, but not limited to, loss of accumulation of income, funeral expenses, pain and suffering, anxiety, emotional distress, humiliation, and other economic and non-economic damages in an amount to be proven at trial.

253. As a direct and proximate result of Defendants' tortious conduct, Ethan and Kristine sustained intense physical pain and suffering during their last moments alive.

254. As a direct and proximate result of Defendants' tortious conduct, Nikki and Nick sustained damages, including, but not limited to, funeral and burial expenses and the economic value of Ethan's services and support in an amount to be proven at trial.

255. As a direct and proximate result of Defendants' tortious conduct, Kristin and Steinn sustained damages, including, but not limited to, funeral and burial expenses and the economic value of Kristine's services and support in an amount to be proven at trial.

256. As a direct and proximate result of Defendants' tortious conduct, Nikki and Nick suffered the loss of love and the destruction of the parent-child relationship between Ethan, Nikki, and Nick, including the grief, mental anguish, and suffering resulting from Ethan's death, as well as the loss of companionship, including mutual society and protection, of Ethan, in an amount to be proven at trial.

257. As a direct and proximate result of Defendants' tortious conduct, Kristin and Steinn suffered the loss of love and the destruction of the parent-child relationship between

1 Kristine, Kristin, and Steinn, including the grief, mental anguish, and suffering resulting from
2 Kristine's death, as well as the loss of companionship, including mutual society and protection,
3 of Kristine's, in an amount to be proven at trial.

4 258. As a direct and proximate result of Defendants' tortious conduct, Nikki suffered
5 severe emotional distress in the form of physical, psychological, and emotional trauma. Nikki
6 suffers extreme symptoms of depression, social isolation, shame, and fear for the stability of her
7 other children. She also experiences painful and ruminating thoughts, sleeplessness, loss of
8 appetite, inability to concentrate, and suicidal ideation.

9 259. As a direct and proximate result of Defendants' tortious conduct, Nick suffered
10 severe emotional distress in the form of physical, psychological, and emotional trauma. Nick
11 continues to suffer from depression, anxiety, ruminating thoughts, sleeplessness, loss of appetite,
12 anhedonia, inability to concentrate, social isolation, shame, fear for the stability of the other
13 children, suicidal ideation.

14 260. As a direct and proximate result of Defendants' tortious conduct, Kristin suffered
15 severe emotional distress in the form of physical, psychological, and emotional trauma. Kristin
16 experiences heightened levels of anxiety, depression, and sleep disorder, as well as post-
17 traumatic stress, prolonged grief, extreme and sudden weight loss, anhedonia, panic disorder,
18 social isolation, and passive suicidality.

19 261. As a direct and proximate result of Amazon's tortious conduct, Steinn suffered
20 severe emotional distress in the form of psychological, and emotional trauma. Steinn suffers from
21 loss of enjoyment of life without his daughter. He was diagnosed with depression after Kristine's
22 death and continues to seek treatment in attempts to cope with the deep anguish this has caused
23 him.


24 **REQUEST FOR RELIEF**

25 **WHEREFORE**, Martinique Maynor, Nicholas McCarthy, Laura Jónsson, and Steinn
26 Jónsson request the Court to enter judgment as follows:

- A. For a judgment of liability against Amazon;
- B. For a judgment of liability against Loudwolf;
- C. For an award of economic damages and non-economic damages in an amount to be proven at trial;
- D. For punitive damages against Amazon;
- E. For punitive damages against Loudwolf;
- F. For an award of pre-judgment and post-judgment interest;
- G. For reasonable attorney fees and costs; and
- H. For such other relief as the Court deems just and proper.

DATED this 12th day of December, 2022.

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